

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GIORGIO MCKINNEY,

Defendant.

NO. CR18-096 RSM

**STIPULATED PROTECTIVE ORDER
REGARDING DISCOVERY MATERIALS**

This matter came before the Court on the government's Stipulated Motion for a Protective Order. The Court finds that good cause has been shown and orders as follows:

1. This Protective Order governs all discovery material in any format (written or electronic) that is produced by the government in discovery in the above-captioned case that pertains to sensitive witness statements ("Protected Material").

2. The United States will make copies of the Protected Material available to defense counsel. Possession of copies of the Protected Material is limited to the attorneys of record, investigators, paralegals, law clerks, experts and assistants for the attorneys of record (hereinafter collectively referred to as members of the defense team).

1 3. The attorneys of record and members of the defense team may display and
2 review the Protected Material with the defendant, but may not leave any Protected
3 Material with him.

4 4. The defendant, attorneys of record and members of the defense team
5 acknowledge that providing copies of the Protected Material to persons outside of the
6 defense team is prohibited, and agree not to provide copies of the Protected Material to
7 persons outside of the defense team.

8 5. The defense may petition the Court to request modification or termination
9 of the Protective Order upon further review of the Protected Material.

10 6. Nothing in this order should be construed as imposing any discovery
11 obligations on the government or the defendant that are different from those imposed by
12 case law and Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal
13 Rules.

14 7. Any Protected Material that is filed with the Court in connection with pre-
15 trial motions, trial, sentencing, or other matter before this Court, shall be filed under seal
16 and shall remain sealed until otherwise ordered by this Court. This does not entitle either
17 party to seal their filings as a matter of course. The parties are required to comply in all
18 respects to the relevant local and federal rules of criminal procedure pertaining to the
19 sealing of court documents.

20 8. The provisions of this Order shall not terminate at the conclusion of this
21 prosecution.

22 9. Any violation of any term or condition of this Order by the Defendant, his
23 attorney(s) of record, any member of the defense team, or any attorney for the United
24 States Attorney's Office for the Western District of Washington, may be held in contempt
25 of court, and/or may be subject to monetary or other sanctions as deemed appropriate by
26 this Court.

1 10. If the Defendant violates any term or condition of this Order, the United
2 States reserves its right to seek a sentencing enhancement for obstruction of justice, or to
3 file any criminal charges relating to the Defendant's violation.
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5 DATED this 16th day of March, 2023.

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8 RICARDO S. MARTINEZ
9 UNITED STATES DISTRICT JUDGE

10 Presented by:

11
12 /s/ Jessica M. Manca

13 JESSICA M. MANCA
14 Assistant United States Attorney

15 /s/ Emma Scanlan

16 SCOTT J. ENGELHARD
17 Attorney for Giorgio McKinney
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